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IN THE UNITED STATES DISTRICT COURT
OF THE DISTRICT OF UTAH, CENTRAL DIVISION

IMPERIAL PREMIUM FINANCE, LLC, a
Florida Limited Liability Company,

Plaintiff,

v.

SYLVIA HERSKOWITZ, an Individual,

Defendant.

**MOTION FOR EXPENSES AND FEES
PURSUANT TO RULE 37(a)(5)(B)**

Case No. 2:09-cv-00861-DB-SA

Honorable Dee Benson
Magistrate Judge Samuel Alba

Pursuant to Rule 37(a)(5)(B) of the Federal Rules of Civil Procedure, if the Court denies Defendant Sylvia Herskowitz's Amended Motion to Compel (Doc. No. 63) as requested by Plaintiff Imperial Premium Finance, LLC, then Plaintiff hereby requests its reasonable expenses, including attorneys' fees, incurred in opposing the Motion.

The basis for this request is set out more fully in the simultaneously filed “Memorandum in Opposition to Plaintiff’s Motion to Compel and In Support of Defendant’s Motion for Expenses and Fees Pursuant to Rule 37(a)(5)(B).”

RESPECTFULLY SUBMITTED this 26th day of July, 2011.

PARR BROWN GEE & LOVELESS, P.C.

By: /s/ Jenifer L. Tomchak
*Attorneys for Imperial Premium
Finance, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of July 2011, a true and correct copy of the foregoing **MOTION FOR EXPENSES AND FEES PURSUANT TO RULE 37(a)(5)(B)** to be electronically filed with the Clerk of the Court using the CM/ECF System, which sent notification of such filing, to the following:

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